

SUPREME COURT OF ARKANSAS

No. CV-14-427

NATHANIEL SMITH, M.D., ET AL.
APPELLANTS

V.

M. KENDALL WRIGHT AND JULIA E.
WRIGHT, INDIVIDUALLY AND ON
BEHALF OF THEIR MINOR
CHILDREN, G.D.W. AND P.L.W., ET
AL.

APPELLEES

Opinion Delivered February 5, 2015

MOTION FOR ORAL ARGUMENT

RESPONSES ORDERED.

PER CURIAM

On January 23, 2015, the Appellants filed a motion for oral argument. In their motion, the Appellants request that the court schedule a second oral argument and assert that three justices were not able to attend the first oral argument on November 20, 2014.¹ Appellants further contend that “Former Associate Justice Cliff Hoofman recused from this case and was replaced by Special Justice Robert W. McCorkindale. Justice Hoofman’s term has ended, and . . . Associate Justice Rhonda K. Wood replaced Justice Hoofman on the Court. Justice Wood was not present at the oral argument on November 20, 2014.”

On January 27, 2015, the Appellees filed their response to the motion for [second] oral

¹Chief Justice Hannah did not attend the oral argument because he was attending an out-of-state court conference, but counsel was informed that he would participate and would have access to the oral-argument video. Justices Wynne and Wood were not on the court at that time.

argument and urge this court to deny the request for a second oral argument as unnecessary. The Appellees assert that “Special Justice McCorkindale was specifically appointed by the Governor as a Special Justice to hear ‘this specific case.’ . . . Special Justice McCorkindale was present and participated in the oral argument held on November 20, 2014. Justice McCorkindale was appointed specifically to preside over this case.”

In their pleadings, the parties have taken competing positions regarding the justices who will serve on this case. Accordingly, we direct the parties to advise this court by formal response, within thirty days of this order, of any authority supporting their respective positions regarding the justices who preside over this case. *See, e.g., Hill v. State*, 362 Ark. 659, 210 S.W.3d 123 (2005).

Responses ordered.